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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 MARITTE FUNCHES,

9 *Plaintiff,*

10 vs.

11 RICK RIMINGTON, *et al.*

12 *Defendants.*
13

3:11-cv-00710-RCJ-WGC

ORDER

14
15 Plaintiff has filed a civil rights complaint. Neither a filing fee nor an application to
16 proceed *in forma pauperis* was received with the complaint. The cover letter refers to a check,
17 but no check was enclosed. It does not appear from the allegations presented that a promptly
18 filed new action would be time-barred under the applicable two-year statute of limitations.

19 IT THEREFORE IS ORDERED that this action shall be DISMISSED without prejudice
20 to the filing of a new properly commenced action under a new docket number with either the
21 required filing fee or a properly completed application to proceed *in forma pauperis*.

22 The Clerk shall send plaintiff two copies each of an *in forma pauperis* application form
23 for a prisoner and a blank Section 1983 complaint form, along with the instructions for each
24 form and a copy of the papers that he submitted.

25 The Clerk shall enter final judgment accordingly, dismissing this action without
26 prejudice.

27 DATED: This 5th day of October, 2011.

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ROBERT C. JONES
Chief United States District Judge